

ISSUE DATE: August 12, 1998

DOCKET NO. P-421/C-97-238

ORDER ALLOWING WITHDRAWAL OF COMPLAINT

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

Edward A. Garvey  
Joel Jacobs  
Marshall Johnson  
LeRoy Koppendrayner  
Gregory Scott

Chair  
Commissioner  
Commissioner  
Commissioner  
Commissioner

In the Matter of the Complaint of AT&T  
Communications of the Midwest, Inc. against  
US WEST Communications, Inc. Regarding  
Access Service

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**PROCEDURAL HISTORY**

On February 14, 1997, AT&T Communications of the Midwest, Inc. (AT&T) filed a complaint against US WEST Communications, Inc. (US WEST). AT&T alleged that US WEST had provided an inadequate and inconsistent quality of dedicated access service, thus hindering AT&T's ability to provide high quality interexchange services to Minnesota end-users.

On June 6, 1997, the Commission issued its ORDER DENYING REQUEST TO DISMISS COMPLAINT, FINDING JURISDICTION, AND SETTING COMMENT PERIOD. In that Order the Commission denied US WEST's motion to dismiss AT&T's complaint, determined that it has jurisdiction over the issues raised in the complaint, and found that there were reasonable grounds to investigate the allegations raised.

On January 20, 1998, AT&T submitted a letter to the Commission stating that US WEST and AT&T had resolved the issues raised in the complaint and that AT&T was withdrawing its complaint. AT&T requested the Commission to close the docket.

On August 4, 1998, the matter came before the Commission for consideration.

**FINDINGS AND CONCLUSIONS**

The parties have resolved the competitive issues raised in AT&T's complaint against US WEST. AT&T no longer wishes to pursue the claims and has asked the Commission for permission to withdraw its complaint. The parties agree that the docket should be closed.

The Commission will comply with the parties' request, allow AT&T to withdraw its complaint, and close the docket.

**ORDER**

1. The Commission grants AT&T's request to withdraw its February 14, 1997 complaint against US WEST.
2. The docket is closed.
3. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Burl W. Haar  
Executive Secretary

(S E A L)

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